

**CITY COUNCIL MINUTES**  
**December 10, 2007**  
**REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, December 10, 2007 at 6:00 p.m. with Mayor Snyder presiding and City Clerk Joseph G.R. Labrie recording the minutes.

**CALL TO ORDER**  
**PLEDGE OF ALLEGIANCE**  
**ROLL CALL:**

**Council Members Present:** J. M. Holmes, Kevin Hanley, Keith Nesbitt, Bridget Powers, Bob Snyder

**Council Members Absent:** None

**Staff Members Present:** City Manager Robert Richardson. City Attorney Michael Colantuono, Assistant Planner Reg Murray, Fire Chief Mark D'Ambrogi, Public Works Director Jack Warren, Engineering Division Manager Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Building Official Lisa Hoffrogge

**AGENDA APPROVAL**

City Manager Richardson requested that Item No. 9 and Item No. 13 removed from the agenda for reconsideration at a future meeting.

**CONSENT CALENDAR**

Council Member Nesbitt requested Item No. 14 removed from the Consent Calendar for discussion.

Council Member Holmes requested Item No. 4 removed from the Consent Calendar for discussion.

Council Member Powers requested Item No. 15 removed from the Consent Calendar for discussion.

1. **Adoption of Code – Second Reading**

Adopt and conduct a second reading, by title only, to by **ORDINANCE 07-09** amend the Auburn Municipal Code by adopting the California Fire,

Building, Mechanical, Electrical, and Plumbing Codes and the International Existing Building and Property Maintenance Codes, within the boundaries of the City of Auburn.

2. **General Plan Amendment and Rezone – 1272-1278 High Street (Files GPA 07-1, RE 02-3) – Second Reading**

Hold a second reading, by title only, of an **ORDINANCE 07-10** for the rear portion of 1272-1278 High Street which amends the General Plan land use designation from Open Space (OS) to Commercial (COMM) and which amends the zoning designation from Open Space Conservation (OSC) to Office Building/Medium Density Multiple-Family Residential (OB/R-3).

3. **Amended Local Transportation Fund (LTF) Claim**

By **RESOLUTION 07-137** authorize the Director of Public Works to submit and execute on behalf of the City of Auburn the Amended 2007/08 Transportation Development Act (TDA) claim for the Local Transportation Fund (LTF) in the amount of \$387,965 for TDA Article 8 uses to the Placer County Transportation Planning Agency (PCTPA).

4. **Subrecipient Agreement between the City of Auburn and Sierra Economic Development Corporation**

Removed from Consent Calendar.

5. **Program Income Reuse Plan for Community Development Block Grant Program**

By **RESOLUTION 07-139** approve the Program Income Reuse Plan for Auburn's Community Development Block Grant Program.

6. **Development Fee Agreement for the Baltimore Ravine Project**

By **RESOLUTION 07-140** authorize the City Manager to execute the Development Fee Agreement for the Baltimore Ravine Project.

7. **Agreements for Consulting Services – Adrienne Graham, Willdan, and Nexgen Utility Management**

By **RESOLUTION 07-141** authorize the Community Development Director and the Public Works Director to execute agreements for consulting services between the City of Auburn and Adrienne Graham to assist the City in its review and preparation of the Baltimore Ravine Environmental Impact Report and the Baltimore Ravine Specific Plan.

By **RESOLUTION 07-142** authorize the Community Development Director and the Public Works Director to execute agreements for consulting services between the City of Auburn and Willdan to assist the City in its review and preparation of the Baltimore Ravine Environmental Impact Report and the Baltimore Ravine Specific Plan.

By **RESOLUTION 07-143** authorize the Community Development Director and the Public Works Director to execute agreements for consulting services between the City of Auburn and NexGen Utility Management to assist the City in its review and preparation of the Baltimore Ravine Environmental Impact Report and the Baltimore Ravine Specific Plan.

8. **Ordinance to Remove Department Heads from the Classified Service (per the Pay for Performance Policy) – Second Reading**

By **ORDINANCE 07-11** amend section 31.058 of the City of Auburn Municipal Code to exclude from competitive service all department directors, as defined, hired after formal adoption of the Senior Executive Pay for Performance Program Policy and existing department directors, as defined, electing to participate in the Senior Executive Pay for Performance Program pursuant to established guidelines.

9. **Approval of Fire Department Fee Schedules**

Item tabled indefinitely.

10. **Maidu Drive Sidewalk Project**

By **MOTION** authorize the advertising of the Maidu Drive Sidewalk Project.

11. **East Lincoln Way Sidewalk Project**

By **MOTION** choose a preferred design of the East Lincoln Way Sidewalk Project.

12. **Subrecipient Agreement between the City of Auburn and the Boys & Girls Club of Auburn**

By **RESOLUTION 07-144** authorize the Community Development Director to execute a Subrecipient Agreement between the City of Auburn and the Boys & Girls Club of Auburn for General Allocation of the State Community Development Block Grant (CDBG) Program.

13. **Addendum to Lease Agreement between Auburn Union Elementary School District, City of Auburn, and Boys & Girls Club of Auburn**

Item tabled indefinitely.

14. **State of California Air Resource Board Fleet Compliance Requirements**

Item removed from Consent Calendar.

15. **Resolution in Support of the Performing Arts Center Project**

Item removed from Consent Calendar.

\*\*\*\*\* End of Consent Calendar \*\*\*\*\*

By **MOTION** approve the Consent Calendar excluding Items 4, 9, 13, 14 and 15. **MOTION: Hanley/Nesbitt/Approved 5:0**

4. **Subrecipient Agreement between the City of Auburn and Sierra Economic Development Corporation**

Council Member Holmes stated that the agreement was supposed to have commenced on the first of October and asked for an explanation for the delay. Secondly, he asked for some examples of the services to be provided by the Sierra Economic Development Corporation (SEDC).

Assistant Planner Reg Murray introduced a SEDC representative to answer the questions regarding the delay and some of the programs provided.

Sandy Sindt, Economic Planner for SEDC, stated that the delay was due to the Community Development Director's request for revision to the contract. City Attorney Colantuono advised that the contract is required to match the Federal Government's fiscal year and that the contract is effective October 1<sup>st</sup> regardless of when the agreement is finalized.

Ms. Sindt advised that SEDC manages the City's revolving loan fund program. She explained that the loans are to small businesses within the city limits of Auburn. She advised that Awful Annies applied for a loan after that fire and SEDC manages that portfolio to date. She also stated that Auburn Ale House has been provided a loan for its business start up. Administrative Director Heath advised of two more business that also have loans.

By **RESOLUTION 07-138** authorize the Community Development Director to execute a Subrecipient Agreement between the City of Auburn and Sierra Economic Development Corporation for General Allocation of the State Community Development Block Grant (CDBG) Program. **MOTION: Holmes/Powers/Approved 5:0**

14. **State of California Air Resource Board Fleet Compliance Requirements**

Public Works Director Warren advised that the item is a requirement from the Air Resource Board in order to lessen exhaust from diesel equipment and has been in the works for several years. He stated that it did not become finalized until about a month ago. He said if the dump truck is not retrofitted, it will not be allowed on the road.

Council Member Nesbitt asked if the City would have to spend \$21,000 per vehicle over the upcoming months to bring them into compliance. Mr. Warren advised that the City would have to do so or replace the vehicles. Mr. Heath explained that the money had been transferred from the Police Department's Facility and Equipment Budget because that department was able to delay the purchase of a new police vehicle.

Council Member Holmes asked why the City did not go the Placer County Air Pollution Control District and apply for a grant to upgrade the vehicles. He said he has been suggesting for several years that the City staff apply for the grants to meet the requirements. Mr. Warren stated that Air Pollution Control District advised that it would not provide a grant for mandatory requirements.

By **RESOLUTION 07-145** authorize the City Manager or his designee to execute a purchase order with AZ Bus Sales for a particle catcher (trap) to be used in the retrofit of Public Works Vehicle No. 40 – 1993 GMC Top Kick Dump Truck, in an amount not to exceed \$21,000.00. **MOTION: Holmes/Powers/Approved 5:0**

15. **Resolution in Support of the Performing Arts Center Project**

Cheryl Maki, 1825 Arroyo Drive, Auburn, stated that she felt the resolution was very important and that there were many supporters present at the meeting. She asked for Council support and that Council Member Nesbitt read the resolution into the record.

Council Member Hanley, Council Member Holmes, and Council Member Powers expressed their support of the Performing Arts Center.

By **RESOLUTION 07-146** support the Performing Arts Center Project.  
**MOTION: Hanley/Nesbitt/Approved 5:0**

16. **Public Comment**

Council Member Holmes commented on the Placer County Supervisors' upcoming vote on a reorganization plan for the countywide Economic Development Board to include two members from the Board of Supervisors and a member from each of the six incorporated cities in the county, plus five technical advisory resources. He said it will be a major shift in the workings of the board and should give the cities in the county a greater voice in various economic development issues.

Council Member Holmes stated that the Sierra Nevada Conservancy is in the process of identifying its permanent headquarters. He said Auburn had been selected as temporary headquarters and is hopeful that it will be made permanent.

Council Member Holmes congratulated members of the Fire Safe Council, and particularly Council Member Hanley, on its award for outstanding efforts to improve fire safety in the Auburn community.

Council Member Hanley added his appreciation to Mayor Snyder who has been a member of the Fire Safe Council for seven years. He also thanked Mayor Snyder and the other volunteers who assisted in building the sign announcing Old Town Auburn.

Betty Jensen, 171 Tennis Way, Auburn, stated that the Sierra Nevada Conservancy will be announcing its decision regarding permanent headquarters on June 7 & 8, 2008.

**REPORTS**

17. **Informational Reports from Committees/Commissions**

Michael Otten, Library Advisory Board Representative, submitted a written report to the Council. He stated that Sierra Nevada Conservancy has shifted much of its library to the Auburn library. He advised that the library is a designated cooling center for hot summer months. He said circulation at the library is up 3.4% this year, which is 40% of all circulation in the Placer County library system.

18. **Informational Reports from Staff**

Public Works Director Jack Warren introduced Dan Rich, consultant for the wastewater treatment plant improvement project. He presented

various project photos to the Council. He explained the Vintage Oaks Lift Station project. Council questions and comments followed. He provided an overview of the regional sewer solution in conjunction with the Auburn plant.

Mr. Warren reported on the Highway 49 expansion. Engineering Division Manager Bernie Schroeder reported on the East Lincoln Way and Maidu sidewalk projects. Mr. Warren added that the closing of Alta Vista School does not appear to have any impact on the Safe-Route to Schools Grant. However, Public Works will make certain that it is intact prior to awarding a contract.

Mr. Warren stated that the current overlay project is on Auburn Ravine Road. He advised that on Dairy Road some areas were omitted because there was not enough money to do everything so a thin patch was placed over the entire project. He said the roadway needs a complete overlay from one end to the other.

Mr. Warren reported on City transit facilities and community services provided. He updated Council on the restoration of the stone work at the Cooper Amphitheater. He explained the funding status of the Sidewalk Repair Program. He advised Council of the progress of the east area hangar project. Mr. Warren stated that the Old Town restroom facilities have been recently remodeled. He advised Council on land development and miscellaneous street repairs. He also addressed the idea of solar solutions for the City which he stated would “make economic sense.”

Council Member Hanley questioned whether or not the two historic fire houses were included in any type of maintenance plan. Mr. Warren said that those types of requests are generated by the Fire Chief and the Public Works Department responds to him accordingly. He said he thinks volunteers do a lot of the work for those facilities and not City staff. Council Member Hanley stated that he would like to get the maintenance issues resolved to protect the historical fire houses.

Mayor Snyder commended Corporation Yard personnel for all their work throughout the year.

Betty Jensen, Auburn resident, stated that she and her neighbors wrote a letter to thank the Public Works Department for work it did on her street. She said the crews were very courteous and helpful throughout the project.

19. **City Council Committee Reports**

Council Member Nesbitt stated that the Dog Park was approved by the Auburn Recreation District (ARD). He advised that it is Auburn's year to have a representative on the Sierra Economic Development District Board.

Council Member Holmes advised that portables for the Boys and Girls Club at E.V. Cain were approved.

## **COUNCIL BUSINESS**

### **20 Wastewater Plant Upgrades and Regional Solution Time Extensions**

Public Works Director Warren presented the Council with a summary of where the City stands with wastewater issues. Dan Rich was present to provide answers to Council for more detailed explanations. Mr. Warren said the Regional Water Quality Control Board has allowed time for City staff to gather more information for the Council prior to Council's Spring decision on which alternative to select. He said further design of the plant has been postponed until the Council makes its decision regarding the regional solution vs. wastewater plant upgrades. Mr. Warren stated that after the City's extension runs out, the State has no choice, but to impose a fine for violations.

Council questions and discussion of onsite Wastewater Plant Upgrades and Regional Solution time extensions followed.

### **21. Resolution Regarding Air Quality and Climate Change**

Council Member Holmes introduced the item and stated that it is more about air quality than climate change. He said that one of the reasons he presented the item for consideration was to give the City some recognition for what it has been doing to reduce the production of greenhouse gases. He said the City wants to encourage the public to use public transportation or car pools and minimize daily driving.

Dan Sokol, Auburn resident, stated that there is an economic advantage in saving energy in addition to the effect on the air quality. He said that the City can do more to reduce the use of energy. He advised that all the signal lights have not been converted to LED. He said the use of street lighting should be checked for timing as well as City Hall lights.

Mayor Snyder said he felt two subjects were thrown into one category. He said our citizens should be encouraged to minimize pollution. He said the climate change wording was not appropriate to the proposed resolution. He stated that if the greenhouse gas references were eliminated, he would support the resolution.

Council Member Hanley said that he felt it “made sense to approach the greenhouse gas and air quality issues in thoughtful way rather than a panic which can have deleterious consequences for jobs, our economy and our quality of life.” Therefore, he said he favored a “thoughtful way” to reduce the greenhouse gas emissions, which may be a contributing factor to climate change. He said that the Mayor was correct in that AB32 may not be applicable to Auburn in that the City has taken a lot of action regarding this issue. He said that the City passed a tree preservation ordinance, enacted an anti-idling ordinance, joined the Greenprint, is working with PG &E on energy efficient projects, asked Public Works to explore solar power, worked to prevent catastrophic wildfire and supported the Regional Blueprint Project. He suggested that resolution state that “we continue our efforts” rather than just encouraging the residents to minimize pollution. He stated that he was in “general support of the resolution.”

Council Member Holmes stated that his main point was air quality and not necessarily climate change. He said he would support removing the climate change language. Mayor Snyder stated that he, too, would support the resolution if the climate change language was removed. Council Member Holmes said the City should continue to try conserve energy, and that most likely there are more things that can be done. He said the City should take credit for what it has done thus far and encourage residents to do likewise.

By **MOTION** revise the resolution for future consideration that would include some of the additional items that we have done, and take credit for, and have the same thrust to encourage our residents to also take action to reduce pollutants in the air. **MOTION:**  
**Snyder/Holmes/Approved 5:0**

City Attorney Colantuono stated, “That is basically a motion to table for consideration at a future meeting with staff to bring a revised resolution for consideration at that time.”

## **ADJOURNMENT**

Mayor Snyder adjourned the meeting, without objection, at 7:52 p.m. to the meeting of the Auburn Urban Development Authority

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Robert Snyder, Mayor

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Joseph G. R. Labrie, City Clerk